

TOWN COUNCIL MEETING - WEDNESDAY EVENING - NOVEMBER 11, 2009

PRESENT: Marshall, Cordeiro, Parella, Barboza, and
Herreshoff

ALSO PRESENT: Diane C. Mederos, Town Administrator
Michael A. Ursillo, Esq., Town Solicitor
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening, November 11, 2009 in the Town Hall, Council Chambers, beginning at 7:08 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall recognized members of Bristol Troop 6, Boy Scouts of America, who led the assembly in the Pledge of Allegiance to the Flag.

Council Chairman Marshall also congratulated the Mt. Hope High School varsity football team for its division championship.

Council Chairman Marshall also observed the day as Veterans Day and informed the assembly that he and other Council members attended ceremonies held at the RI Veterans Home commemorating the day.

Cordeiro/Barboza - Voted
unanimously to instruct the Clerk
to prepare citations honoring
"Spirit of Christmas" award winner
Madeline Grimo, and retiring School
District personnel Superintendent
Edward Mara and Director of
Administration and Finance Jane
Correia who will both be retiring
on December 28, 2009.

Prior to the vote taken, Council members noted the honor bestowed upon Ms. Grimo by the Christmas Festival Committee and also the pending retirements of Mara and Correia. It was also suggested, with Town Administrator Mederos in agreement, that these citations should be presented jointly by Town Council and Town Administrator.

Ms. M. Candace Pansa, Executive Director, Bristol Housing
Authority - Presentation of PILOT check

Ms. Pansa presented the payment in lieu of taxes check in the amount of \$53,663.00 on behalf of the Housing Authority. She also drew attention to the Housing Authority's Annual

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Report (Item BB1) and explained that the "small agency" infuses approximately \$2 million into the local economy.

Also prior to the commencement of this evening's regular agenda, Council Chairman Marshall suggested that the Council consider the matter of the scheduled public hearing concerning the Comprehensive Plan at this time. The action taken is so noted in docket item C1 as noted below.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Barboza/Herreshoff - Voted
unanimously to approve the Consent
Agenda withholding agenda items
R13, R16, and R18 for further
discussion.

Prior to the vote taken, Councilman Barboza asked that item R13 might be withheld and Councilman Herreshoff asked also that item R13 might be withheld and also items R16 and R18.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - October 28, 2009

Cordeiro/Barboza - Voted
unanimously to approve these
minutes as prepared and presented.

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

Approval of consent agenda="Motion to receive and place these items on file."

1. Bristol Housing Authority - September 23, 2009
2. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - October 8, 2009
3. Charter Review Commission - August 12, 2009
4. Redevelopment Agency - September 24, 2009
5. Charter Review Commission - October 20, 2009
6. Harbor Commission - November 2, 2009

B. OLD BUSINESS

1. Rebecca Hanos, 7 Gorham Place, d/b/a Just Dogs - request for a Hawkers and Peddlers License, **continued from October 7, 2009**

Herreshoff/Parella - Voted unanimously to combine this matter with related agenda item G1 and to consider action on agenda item D1 prior to both.

Herreshoff/Parella - Voted unanimously to grant this license for a trial period for review on or about August 18, 2010 allowing for a special exception for the petitioner to sell at the "Concerts on the Common" and "Last Night" events with conditions as stipulated by the committees in-charge and also subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, a discussion ensued regarding the location of the vending area for Ms. Hanos with Ms. Hanos responding that she would place her cart at the discretion of the event organizers/committee with a concern for safety and non-obstruction of the performance.

Councilman Herreshoff asked to know if Joan Roth was consulted concerning this matter with Ms. Hanos indicating her desire to work in cooperation with the various sponsoring committees.

Councilman Herreshoff stated that the "Concerts on the Common" have operated for twenty-two (22) years and that these have been "dignified" and that he did not wish to replace same with a "carnival atmosphere."

Council members agreed that there appeared to be a demonstrated need to provide refreshments during concert activities and also agreed that a trial period would be warranted.

Ms. Hanos reiterated her intention to "fund-raise" via selling her wares for local charities.

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2. Phyllis Bravo, 155 Franklin Street, Unit 5F (Crow's Nest Condominiums) - request for reimbursement re past real estate assessments, **continued from October 28, 2009**

- a. Tax Assessor Spagnolo re assessment of Crow's Nest Condominiums

Herreshoff/Barboza - Voted unanimously to continue this matter until the meeting of December 9, 2009.

Prior to the vote taken, Town Solicitor Ursillo informed the Council that he had the opportunity to meet with Ms. Bravo regarding this matter and that he must conduct further research in consideration of facts revealed at the meeting. He suggested a continuance.

Ms. Bravo informed the Council that she was pleased to have met with Town Solicitor Ursillo.

3. Councilman Herreshoff re Ferry Road repair, **continued from October 28, 2009**

Herreshoff/Cordeiro - Voted unanimously to refer this matter to Town Administrator Mederos in anticipation that Town Administrator Mederos will bring this matter back before the Council should there be anything to report.

Prior to the vote taken, a discussion ensued regarding this project with Council Chairman Marshall reporting that he was informed that the project, including repaving, will be complete before the end of November.

Town Administrator Mederos reported that she was at one time informed that the project was scheduled to be completed before the end of October thus leaving the November date as doubtful. She also observed that Public Works Director Serbst notes that a further delay with the project finished after winter may allow the road to settle and the project may be "better served" by same. Public Works Director Serbst anticipates that the road bed will definitely settle during the near future.

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Council Chairman Marshall reported that the 'base' was increased from one inch to two inches and that this change may resolve some of the anticipated settling problem.

Council Chairman Marshall expressed concern that if the project is not completed soon the State will no longer have the funds to finish the project and it may be left undone for an inordinate period.

Councilman Herreshoff suggested that Town Administrator Mederos may ask the State to delay the repaving curb-to-curb but should obtain a commitment from the State in writing that the project will be completed as soon as the settling stops.

Town Administrator Mederos stated that she would try to obtain a guarantee in writing from the State but expressed concern that this might not be possible.

4. Edward J. Correia for 4th of July Committee - request use of Town Beach to host a carnival/fair, August 6 - 15, 2010, **continued from October 28, 2009**

Herreshoff/Barboza - Voted unanimously to endorse the proposal of the 4th of July Committee in general and to await information concerning the details of same.

Prior to the vote taken, Judy Squires, General Chairman of the 4th of July Committee informed the Council that her Committee is undertaking two fundraising projects as part of the 225th Anniversary of Bristol's Celebration.

Ms. Squires introduced Edward Correia who is the organizer of a carnival/fair planned for August 6 - 15, 2010 and will be potentially held at the area near the Town Beach on Asylum Road.

Mr. Correia stated that he has been in contact with Recreation Director Burke and the Recreation Board concerning this plan with Mr. Burke informing the Council that he is in favor of the plan as proposed by Mr. Correia.

Mr. Correia informed the Council that his committee is considering a two-phased activity with the first phase consisting of a traditional carnival that will be the primary "fundraiser" for the 4th of July Committee and a possible second phase would come in the form of a

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"broadened" fair to include local organizations and to provide same with the opportunity to fundraise on their own behalf at the fair by having booths, clambakes, etc.

Mr. Correia also informed the Council that the plans are preliminary with "nothing written in stone" and that Recreation Director Burke will work on the Committee's behalf to secure the use of some of the property owned by the State nearby for parking, etc.

Mr. Correia also explained that his committee is aware of the presence of underground sprinkler systems in the soccer fields and therefore will allow only "light activities" upon these fields perhaps to include soccer demonstrations.

Council members expressed concern that the plan includes carnival activities in the "multi-purpose" field along the northerly side of Asylum Road and that this field may be damaged similarly to the damage found typically after the carnival leaves the grassy areas of the Town Common with Recreation Director Burke responding that he is confident that this field will "heal" more quickly than the Town Common since it has better drainage and that he is not concerned about the potential for damage.

Councilman Barboza asked to know if this planned carnival will replace the annual 4th of July Carnival on the Town Common with Mr. Correia stating that this is a special additional event only for the 225th Anniversary and that it will not replace the annual 4th of July Carnival.

A discussion ensued regarding parking for the carnival/fair with Mr. Correia again stating that this plan is preliminary and the details are not yet resolved. He further stated that the Committee may charge for on-site parking and arrange for a shuttle that will provide rides for patrons from other parts of Town.

Councilwoman Parella suggested that the parking area at Roger Williams University might be utilized with a shuttle service and Councilman Barboza added that the High School parking lot may also be a source for parking spaces and a location for a shuttle.

The issue of nearby neighborhoods was discussed with Mr. Correia stating that he was aware that there may be issues with the adjoining neighborhoods and that the committee was considering how to address these and also will be speaking to the fire chief and police chief.

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Councilman Cordeiro asked to know the intended hours of operation with Mr. Correia noting that the intended hours are 5:00 o'clock PM until 11:00 o'clock PM on the weekdays and 1:00 o'clock PM until 11:00 o'clock PM on Saturday and Sunday.

Councilwoman Parella asked to know if the group plans to charge the various non-profits for "booth space" and that the organization will keep for itself the revenue that it attains with Mr. Correia responding that the details are still preliminary. Councilwoman Parella noted that the Quahog Festival in Warren uses a similar method.

Councilman Cordeiro noted that Mr. Correia's proposed itinerary contained a regatta and suggested that the Council may wish to purchase a trophy for this event.

After the vote taken, Ms. Squires introduced Frank Pimental who addressed agenda item K2 as noted below.

5. (Principal Planner Tanner) for Raymond Payson, Chair, Conservation Commission/Member, Open Space Committee and Stephan Brigidi, Co-Chair, Open Space Committee - request consideration of dissolving the Open Space Committee and appointing interested members to the Conservation Commission, **continued from October 28, 2009**

Late Item

- a. Raymond P. Payson, Chairman, Conservation Commission to Town Clerk Cirillo re member resignations (Ronald Schroeder and Patrick Barosh)

Cordeiro/Herreshoff - Voted unanimously to dissolve the Open Space Committee conferring upon the members thanks and praise for a job well done.

Prior to the vote taken, Mr. Payson explained that the Open Space Committee was actually charged with a statutory responsibility of the Conservation Commission and that several members of the Open Space Committee would like to serve on the Conservation Commission replacing those who have either resigned or intend to step aside in favor of new members to be appointed.

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It is hereby noted for the record that action on this agenda item as so noted in agenda item Flc took place at this time.

BB. SPECIAL /STATUS REPORTS

1. Bristol Housing Authority - Annual Report
2009

Cordeiro/Parella - Voted
unanimously to receive and place
this matter on file.

C. PUBLIC HEARINGS

1. Director of Community Development Williamson
re proposed amendments to 2008 Comprehensive
Plan required by RI Statewide Planning
Department, **2nd reading (continued from
October 28, 2009)**

Cordeiro/Barboza - Voted
unanimously to continue this public
hearing until December 2, 2009 at
7:00 o'clock PM in the Town Hall,
Council Chambers.

Prior to the vote taken, Council Chairman Marshall noted that this public hearing was continued from the October 28, 2009 meeting. He suggested that the public hearing may be again continued until December 2, 2009.

Nathan Calouro, the member of the Planning Board present, on behalf of the Board, also noted his intention and approval to continue the public hearing until December 2, 2009 simultaneous with the Council's public hearing.

2. Vatche Avedissian, Vatche Avedissian, Inc.
d/b/a Classic Pizza & Grill, 390 Metacom
Avenue - request for BV Limited Intoxicating
Beverage License Renewal

Cordeiro/Barboza - Voted
unanimously to close the public
hearing.

Cordeiro/Barboza - Voted
unanimously to grant renewal of
this license subject to the
licensee obtaining all clearances
in order to have the license, as

renewed in 2008, issued without encumbrance, and also subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, Council Chairman Marshall opened the public hearing.

There was no remonstrance presented in favor or in opposition to the granting of the license renewal.

The Clerk reported that the Council's power was limited by the provisions of State Law and that the license, previously granted for renewal to Mr. Avedissian during last year's renewal cycle, remains unissued. He further explained that the State agencies have not provided Mr. Avedissian with the requisite clearances.

The Clerk further reported that State Law stipulates that if the 2008 license is not issued prior to December 1, 2009, the license will lapse and will not be eligible for renewal and that this hearing and request for renewal was contingent upon the bona-fide issuance of the license.

D. ORDINANCES

1. Ordinance #2009-15, CHAPTER 19, Peddlers, Hawkers and Itinerant Vendors, Article I, In General, Section 19-2, Rules governing peddlers, **2nd reading for adoption**

Barboza/Parella - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2009-15. Advertise in local newspaper.

It is hereby noted for the record that action on this agenda item took place prior to action on agenda B1 as noted above.

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. Tax Assessor Spagnolo re Recommended Abatements & Additions for November, 2009

(CA) F. APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments

a. Noise Study Committee, **continued from October 28, 2009**

1. Nathan Calouro, 66 Charles Street - interest/appointment
2. Christy Nadalin, (9 Church Street) - interest/appointment
3. Peter B. Wilbur, Strategic Planning & Government Relations, Roger Williams University, 1 Old Ferry Road - interest/appointment
4. Joseph D. Antinucci, (90 Van Wickle Lane) - interest/appointment
5. Thomas A. Pasqual, Jr., 37 Prospect Street - interest/appointment
6. David P. Raposa, 6 Rego Avenue - interest/appointment
7. Michael Ferreira, 47 Viking Drive - interest/appointment
8. Stephen Barker, 68 Constitution Street - interest/appointment

b. Noise Study Committee - new applicants

1. Karen Binder, Executive Director, Blithewold, Inc., 101 Ferry Road - interest/appointment
2. Anthony Buono, 52 Constitution Street, #1 - interest/appointment

Barboza/Herreshoff - Voted unanimously to appoint all of those persons who have applied to the Noise Study Committee, to also include the designee of Police Chief Canario and Principal Planner

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Tanner and also Council members Cordeiro and Barboza, and that the Council shall accept no further applications for membership.

Prior to the vote taken, the Clerk reported that Richard Ruggiero of 21 Kingswood Road has expressed interest in serving on this committee. The Council agreed to accept Mr. Ruggiero as an applicant.

Councilman Cordeiro noted that the principle responsibility of the Committee was to consider the Town's various noise issues.

Councilman Herreshoff suggested that the Charge to the Committee might be drafted by Town Administrator Mederos.

Councilman Barboza stated that the inaugural meeting of the Committee should include the establishment of a "mission statement" and goals.

Council Chairman Marshall suggested that the Committee might undertake the task of developing a "model ordinance" that may be applied state-wide similarly to one that was developed by Rutgers University for the State of New Jersey including the use of noise meters.

Town Solicitor Ursillo stated that he has a copy of the Rutgers ordinance and will provide a copy of same for the Committee's use.

A discussion ensued regarding training for police officers in the use of noise meters with Police Chief Canario explaining that fifty percent (50%) of the Town's police officers are trained in the use of noise meters but that the effective application of the data derived from same is subject to many factors including the wind and extraneous noise sources.

It was agreed that the inaugural meeting will be held on Tuesday, December 1, 2009, in the Town Hall, Council Chambers.

- c. Conservation Commission (1) (to fill vacancy, term to expire December 2009)
 - 1. Anthony B. Morettini, 46 Highland Road - interest/appointment

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2. Lindsay Green, 73 Union Street - interest/appointment
3. Clifford C. Woods, Jr., 133 Poppasquash Road - interest/appointment

Councilwoman Parella nominated Mr. Morettini for a term to expire in December 2011; Ms. Green for a term to expire in December 2010; and Mr. Woods for a term to expire in December 2009.

There were no counter-nominations.

Parella/Barboza - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of the nominees for the terms specified contingent upon the receipt of confirmation of the resignations of the current sitting members.

Prior to the vote taken, it was noted that the Council would typically receive some written confirmation of the intention to resign from board and commission members before seating their replacements. The Clerk agreed to contact the members noted in Mr. Payson's correspondence and confirm their intention to resign or step-aside.

(CA) 2. Public Service Appointments for December

G. LICENSING BOARD - NEW PETITIONS

1. Rebecca Hanos, 7 Gorham Place, d/b/a Just Dogs - request for a Hawkers and Peddlers License, **continued from October 7, 2009** (see item B1 also)

It is hereby noted for the record that this item was discussed and action appears as part of item B1 above.

H. LICENSING BOARD - RENEWALS

1. Vatche Avedissian, Vatche Avedissian, Inc. d/b/a Classic Pizza & Grill, 390 Metacom Avenue - request for BV Limited Intoxicating Beverage License Renewal (see item C2 also)

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It is hereby noted for the record that this item was discussed and action appears as part of item C2 above.

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

1. DPW - Road Cut Permits
2. DPW - Road Cut Permit

J. PETITIONS - OTHER

1. Nancy L. Pritchard, d/b/a Bristol Art Gallery, 423 Hope Street - request to install an awning over Town sidewalk

Late Item

- a. Principal Planner/Zoning Officer Tanner re proposed awning

Barboza/Parella - Voted unanimously to grant the petition to allow the suspension of an awning over the public sidewalk subject to the receipt of all related approvals and also subject to the filing of a certificate of insurance indemnifying the Town.

Prior to the vote taken, it was noted that this matter will likely require approval from the Zoning Board of Review and the Historic District Commission. It was further noted that the Council's approval does not supersede the applicant's responsibility to obtain permits from the various town agencies as required.

Amend.

2. E. Keith Maloney, Chairman, Economic Development Commission re request for \$500 to support Bristol Downtown Merchants' "Bristol Snowflake Raffle"

Cordeiro/Barboza - Voted unanimously to appropriate \$500 from the Council Contingency Account for this purpose.

Prior to the vote taken, Mr. Maloney addressed the Council and explained that the Council's support of the project

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would be a positive gesture to confirm that the Town is "pro-business" and that it would encourage participants to "shop-local."

He also noted that the raffle is similar to one that was used in the past on Nantucket island.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Town Administrator Mederos re Sewer Line on Tupelo Street

Herreshoff/Cordeiro - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Town Administrator Mederos reported that the Council will be asked at some point to accept this private sewer line and that the details are being considered by Water Pollution Control Superintendent Calderiso. She noted that the action was precipitated by failed septic systems and that the procedure was not unlike some others undertaken in the past.

It was suggested that Town Solicitor Ursillo should prepare and/or review any of the legalities surrounding this matter with Town Administrator Mederos agreeing to discuss same with Town Solicitor Ursillo.

- Amend.**
2. Town Clerk Cirillo re Fourth of July Committee request for "Walk to Freedom" - "Buy a Brick" Program on Town Common

Barboza/Cordeiro - Voted
unanimously to endorse and lend its
support to the project as outlined
by the 4th of July Committee.

Prior to the vote taken, Frank Pimental of the 4th of July Committee explained the "Walk to Freedom" plan and noted that Recreation Director Burke was in favor of the plan. He also stated that the area near the Gazebo on the Town Common at the flagpole was chosen since the Committee uses this area annually for its Flag Day ceremonies.

Mr. Pimental noted a schematic of the plan and explained that these plans were drafted by Gifford Design Group of Cumberland on a pro bono basis for the Committee and that the bricks will be purchased by individuals, etc., and will

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contain personal messages at the discretion of the purchaser.

Councilman Herreshoff suggested that the Committee may wish to include a time capsule within the project to be opened in the future.

Mr. Pimental also stated that the details regarding purchase of bricks, etc., will be included on the Committee's website.

Councilman Herreshoff stated that the plan was a "wonderful concept" but expressed concern that the plan includes some foliage which might obscure sight lines to and from the gazebo with Mr. Pimental explaining that the Committee would not approve the foliage if it were to create problems.

Councilman Cordeiro and Councilman Herreshoff stated that they would personally purchase bricks.

Mr. Pimental noted that the plan includes that the project may be completed in phases with Councilman Herreshoff questioning if phases were necessary. Mr. Pimental noted that the first phase will include the sale of three-thousand (3,000) bricks.

L. BILLS & EXPENDITURES

1. Bid #688 - Sub-Contract Renovations to 9 Court Street; Ramp & Stairs, and Railing

Barboza/Cordeiro - Voted
unanimously to refer this matter to
the Town Administrator and Director
of Community Development to act in
the best interest of the Town.

Prior to the vote taken, the Clerk read aloud the following bids as received:

Anthony A. Nunes, Inc.	\$38,950.00
Mount Hope Builders, Inc.	\$60,000.00
Tower Construction Corp.	\$57,882.00

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place this item on file."

P. PROCLAMATIONS & CITATIONS

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

Approval of consent agenda="Motion to receive and place these items on file."

1. Warrant - Matthew P. Cabral, Alternate Member to Juvenile Hearing Board
2. Warrant - Karen Kestenberg, Recreation Board
3. Town Administrator Mederos and Council Chairman Marshall to Deborah A. Gist, Commissioner, RI Department of Education re thank you for attendance and informative remarks concerning H1N1 virus
4. Town Administrator Mederos and Council Chairman Marshall to David R. Gifford, M.D., MPH, Director, RI Department of Health re thank you for attendance and informative remarks concerning H1N1 virus
5. Supplemental Victualling License Renewal Petitions (granted October 28, 2009)
6. Supplemental Holiday Sales License Renewal Petitions (granted October 28, 2009)
7. Supplemental Amusement Devices License Renewal Petitions (granted October 28, 2009)
8. Town Administrator Mederos to James Hall, President, Aquidneck Construction, Inc. re award of Bid #684, Surplus Truck Equipment Sale
9. Town Administrator Mederos to James Hall, President, Aquidneck Construction, Inc. re award of Bid #685, 2009 Drainage Improvement Project
10. Town Administrator Mederos to Ronald Keith, Dupont Systems, Inc. re award of Bid #687, Document Shelving

11. Maryann DeAngelus, North Providence Town Clerk re resolution in opposition to mandatory binding arbitration on monetary matters for teachers
12. Dr. Edward P. Mara, Ed.D, Superintendent, Bristol Warren Regional School District re invitation of Commissioner Deborah Gist to discuss Rhode Island's Education Agenda and "Race to the Top" Application
13. Raymond J. Perry, Captain, U.S. Coast Guard to Assistant Town Solicitor Scott re review of petition requesting reconsideration of U.S. Coast Guard letter of recommendation concerning Weaver's Cove Energy, LLC proposal

Herreshoff/Barboza - Voted unanimously to instruct the Town Solicitor to assemble a list of salient points to form the basis of a Council Resolution and to provide same to the Clerk for distribution to the thirty-nine Rhode Island cities and towns soliciting the support of the cities and towns regarding same.

Prior to the vote taken, Councilman Barboza stated that the notice as prepared by Captain Perry appeared to be nothing more than an attempt to justify the gentleman's previous "harebrained" approval. Councilman Barboza further noted that the project is unwise, ill-conceived and "we don't want it."

Councilman Barboza also noted that the cost to maintain security during the local LNG transport will apparently be borne totally by the local authorities and that the cost of same will likely be enormous.

Councilman Barboza noted that Representative Gallison continues to work in opposition to the proposal and will request a meeting with President Obama.

Councilman Barboza suggested that the Town should appeal the decision of Captain Perry with Town Solicitor Ursillo responding that the Town was already doing so and planned to appeal "up the line" as necessary.

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Council Chairman Marshall suggested that President Obama might be encouraged to fly-over the area in order to determine, first hand, its proximity to population centers.

Councilman Herreshoff suggested that the Council should send a "strong language" resolution to the cities and towns to solicit support from same. He further explained that Captain Perry's denial of the appeal was likely a "bureaucrat's attempt to cover up an error" and that his reasoning concerning the project's no longer needing access through the area surrounding the Brightman Street Bridge was inadequate since the Bridge was never the only area of concern.

14. Raymond J. Perry, Captain, U.S. Coast Guard to Dianne R. Phillips, Holland & Knight LLP re review of letter requesting reconsideration of U.S. Coast Guard letter of recommendation concerning Weaver's Cove Energy, LLC proposal
15. Robert Rocchio, P.E., Secretary, RI State Traffic Commission to Council Clerk Cirillo re consideration of request to prohibit parking thirty (30) feet north of driveway opening at 221 Hope Street
16. Robert E. Lafleur, Chairperson, North Smithfield School Committee re resolution in opposition to all binding arbitration legislation for teacher contracts

Herreshoff/Parella - Voted
unanimously to refer this matter to
the meeting of January 20, 2010 for
review at that time.

Prior to the vote taken, Councilman Herreshoff asked to know the status of this matter with Town Administrator Mederos reporting that 35 cities and towns had passed resolutions, etc., in opposition to the concept of binding arbitration for teachers.

Councilman Herreshoff suggested that the Council should keep informed regarding this matter with Councilwoman Parella suggesting that the Council may wish to visit same at the beginning of the New Year when the Legislative agenda is formed.

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17. Town Clerk/Council Clerk Cirillo to Reinhard Battcher III, North and East Burial Ground Commission re thank you for service
18. Building Official Pimenta to Town Solicitor Ursillo re tax assessor records concerning 629 Wood Street

Herreshoff/Cordeiro - Voted
unanimously to continue this matter
until December 9, 2009.

Prior to the vote taken, Councilman Herreshoff questioned if the Town's ordinance concerning unrelated persons occupying the same residence was adequate and also comparable to other communities.

Town Solicitor Ursillo stated that this matter is of concern to those communities with high student populations and agreed to investigate the restrictions imposed by other towns.

19. Coastal Resources Management Council - Semi-Monthly Meeting, November 10, 2009 (Amended)
20. Recommendation - Police Chief re BV Limited Intoxicating Beverage License request of Jen Cavallaro, d/b/a The Beehive Café, 10 Franklin Street (denied October 28, 2009)
21. Town Administrator Mederos to Bob Barton, Fire Tech & Safety of New England, Inc. re award of Bid #682, Firefighter Protective Clothing

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - October 27, 2009
2. Harbor Commission - November 2, 2009
3. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - November 5, 2009

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4. Bristol Warren Regional School District -
Schedule of Meetings, Week of November 2,
2009
 5. Bristol Warren Regional School Committee
Policy/Community Affairs Subcommittee -
November 2, 2009
 6. Coastal Resources Management Council -
November 2009 Calendar
 7. Bristol County Water Authority/Board of
Directors - November 10, 2009
 8. Bristol County Water Authority/Public
Relations/Personnel Committee - November 4,
2009
 9. Bristol County Water Authority/Engineering
Committee - November 4, 2009
 10. Bristol County Water Authority/Audit Finance
Committee - November 4, 2009
 11. Fourth of July Committee - November 9, 2009
 12. Bristol Warren Regional School District -
Schedule of Meetings, Week of November 9,
2009
 13. Bristol Warren Regional School Committee -
Special Meeting, November 9, 2009
 14. Bristol Warren Regional School Committee -
Special Meeting, November 16, 2009 (Meeting
Rescheduled from November 9, 2009)
 15. Bristol Warren Regional School Committee -
Workshop, November 9, 2009
 16. Bristol Warren Regional School Committee -
Workshop, November 16, 2009 (Meeting
Rescheduled from November 9, 2009)
- S. TOWN SOLICITOR
- Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS
1. MARSHALL

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- a. Veterans Day - Council Chairman Marshall noted that this date is Veterans Day and thanked the various veterans for their service.
- b. Thank You Mike Davis - Council Chairman Marshall thanked Mr. Davis for filming this evening's meeting.
- c. Governor's Assembly - Council Chairman Marshall noted that Gov. Carcieri and Commissioner of Education Gist will preside over an assembly at Mt. Hope High School recognizing the school's 10% increase in its student retention rate. This assembly will be held on November 17, 2009 at 9:00 AM.
- d. Happy Thanksgiving - Council Chairman Marshall noted the upcoming Thanksgiving Day and wished all present a Happy Thanksgiving.

2. CORDEIRO

- a. Henry Sousa - Councilman Cordeiro noted a further claim for pension from Henry Sousa. Town Solicitor Ursillo noted that he was informed of same and will be providing his memorandum to the Council concerning this matter to Mr. Sousa's counsel.
- b. Armand Pereira - Councilman Cordeiro recognized the speech delivered this date by CSM Armand Pereira at the Veterans Day ceremonies.
- c. Happy Thanksgiving - Councilman Cordeiro offered Happy Thanksgiving wishes to those present.

3. PARELLA

- a. Veterans Day - Councilwoman Parella noted the Veterans Day holiday and suggested that everyone should thank those who served or continue to serve in the military for their service.
- b. Happy Thanksgiving - Councilwoman Parella offered Happy Thanksgiving wishes to those present.

4. BARBOZA

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a. Veterans Day and Thanksgiving - Councilman Barboza noted that it was appropriate to discuss Veterans Day and Thanksgiving Day together since everyone should be thankful for the service of veterans.

5. HERRESHOFF

a. Budget - Councilman Herreshoff noted the upcoming budget cycle and the apparent \$200 million additional State deficit explaining that the Town Administrator and Council did a good job budgeting last year but that that will be considered a "cake walk" as compared to this year.

b. Heritage Hall of Fame Dr. Ramon Guiteras - Councilman Herreshoff noted the upcoming Rhode Island Heritage Hall of Fame where Dr. Ramon Guiteras will be inducted. He noted that Dr. Guiteras' will provided funding and design ideas for the Guiteras Memorial School. He also noted that it was fortunate that the Town did not follow the purported by some who would have abandoned the school in favor of a "cinder block structure in the woods."

c. Parades - Councilman Herreshoff noted a recent Veterans Parade in New York City that paled by comparison to Bristol's 4th of July Parade.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. RWU Senior Citizens Leaf Removal - Town Administrator Mederos reported that Roger Williams University students will be participating in their annual community service project raking leaves for senior citizens on December 5 and 6, 2009 and that interested persons should contact Rita Ayers-Gaulin at the Benjamin Church Senior Center 253-8458.

b. Veterans Home - Town Administrator Mederos stated that Bristol is fortunate to have the RI Veterans Home in Bristol since we have more Veterans per capita than other cities and towns in the State.

c. Needy Families - Town Administrator Mederos reported that Human Services Director Ed Carusi is

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preparing to help those in need for the holidays and that persons may contact Mr. Carusi if they are aware of someone in need.

d. Thanksgiving Wishes - Town Administrator Mederos offered her Thanksgiving wishes to all on behalf of the Town.

CITIZENS PUBLIC FORUM

There being no further business, upon a motion by Councilman Herreshoff, seconded by Councilman Cordeiro and voted unanimously, the Chairman declared this meeting to be adjourned at 9:20 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk